

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:

Financial Investments and Real Estate, LLC,

Debtor.

Chapter 11

Case No. 22-11150-mdc

**FIRST INTERIM APPLICATION FOR COMPENSATION AND REIMBURSEMENT OF
EXPENSES OF GELLERT SCALI BUSENKELL & BROWN, LLC AS COUNSEL TO
DEBTOR FOR THE PERIOD MAY 3, 2022, THROUGH AUGUST 31, 2022**

Gellert Scali Busenkell & Brown, LLC (“Applicant”), in accordance with F.R.B.P. 2016, applies under § 330 of the Bankruptcy Code for an award of compensation and reimbursement of actual, necessary expenses and represents:

Part A Preliminary Statement

1. Applicant is counsel for Financial Investments and Real Estate, LLC (the “Debtor”), pursuant to Court Order.
2. All services rendered and expenses incurred for which compensation or reimbursement is requested were performed or incurred for or on behalf of the Debtor.
3. The services described in this Application are actual, necessary services and the compensation requested for those services is reasonable.
4. The expenses described in this Application are actual, necessary expenses.
5. A First Interim Application for Compensation and Reimbursement of Expense of Applicant as Counsel to the Debtor has been filed in the amount of \$20,009.50 for services rendered and \$208.98 for reimbursement of expenses for the period May 3, 2022, through August 31, 2022.

Part B General Information

1. Period May 3, 2022 to August 31, 2022

Final Application _____

Interim Application X_____

	<u>Requested</u>
Fees	\$20,009.50
Expenses	\$208.98
Total \$	

2. General Information

a. Date case filed: May 3, 2022

b. Date application to approve employment filed: May 17, 2022

c. Date employment approved:

d. First date services rendered in the case: May 3, 2022

e. Compensation request is under § 330: X Yes _____ No

If other statutory basis, specify: § _____

f. Any fees awarded will be paid from the estate: X Yes _____ No

If no, state the source of payment of any fee that is awarded.

g. This application is for a period less than 120 days after the filing of the case or less than 120 days after the end of the period of the last application.

_____ Yes X No

3. Prior Applications: None

4. Attorneys' Billing for Current Period

Name	Admitted	Hours	Billing Rate	Total
Michael A. Cataldo	1987	47.95	\$350.00	\$16,782.50

Grand Total \$16,782.50

5. Paralegals' Billing for Current Period

Name	Hours	Billing Rate	Total
Ashley Gollmann	19.80	\$160	\$3,168.00
Maria Whalen	0.10	\$190.00	\$19.00
Felicia Amato	0.20	\$100.00	\$20.00
Robert Clarkson	0.20	\$100.00	\$20.00

Grand Total \$3,227.00

6. Billing Rates

- a. Are any of the billing rates different than the billing rates set forth in your last application? _____ Yes X No
- b. If yes, indicate whose billings rates are different and explain why?

Part C Billing Summary

1. **Description of Services.** Provide adequate detail appropriate for the amount of time billed and the nature and variety of the services rendered.

2. **Detail of Hours Expended.** Set forth in list form or attach a list that shows the name of the professional or paraprofessional, date, activity, and time expended. The list may be organized in either of two ways.

- a. By each professional or paraprofessional in chronological order for the application period; or
- b. By day in chronological order showing all professionals or paraprofessionals that billed time on a particular day during the application period.

See attached Exhibit A

Summary of Services by Category:

The services rendered by Applicant during the Application Period can be grouped into the categories set forth below. The attorneys and paraprofessionals who rendered services relating to each category are identified, along with the number of hours for each individual and the total compensation sought for each category in Exhibit A attached hereto.

Case Administration: Fees: \$5,295.00 Total Time: 18.90

This category represents time spent on ministerial matters arising in this case, such as organization, notices of various events, scheduling hearings or conference calls. This category captures time spent drafting schedules, amending schedules, as well as handling the day-to-day administrative tasks of the Debtor, including communications with chambers and other parties, preparation of general documents and pleadings.

Asset Analysis /Valuation: Fees: \$472.50 Total Time: 1.35

This category includes research as to the property valuation and loan payable valuation. Liquidation analysis and informing the debtor about the affect of the liquidation analysis and its affect of the plan

Relief from Stay/Adequate Protection Proceedings: Fees: \$4,733.50 Total Time: 13.85

This category includes discussing with and advising the client concerning defenses and requirements concerning post-petition mortgagee obligations, reviewing with the client the pre-petition mortgagee communications and post-filing communications and efforts to make rejected, monthly payments, The need for hiring a realtor and cooperation with their expert, Research concerning the inadmissibility of Broker Price Opinion Reports and Review of the Broker Price Opinion Report, a contested Motion For Relief Hearing that was three hours, witness preparation, review of expert reports, preparation or argument, submission of exhibits, representation at a status hearing and filing of a status report, advising the client as to obligations under the Judge's Order

and receipt and review of the drafted Order by Mortgagee's counsel prior to its submission for approval.

Meetings of and Communications with Creditors: Fees: \$1,704.50 Total Time: 5.25

This category includes, Preparing the Debtor for the Initial Debtor Interview, the Initial Debtor Interview, Preparation and preparing the debtor for the Meeting of Creditors, the Meeting of Creditors, Discussions concerning Syndescope Loan Payable, insurance issues, DIP accounts, laws concerning AirBnB operation, Quarterly fees

Fee/Employment Applications: Fees: \$836.00 Total Time: 5.30

This category includes matters relating to the preparation and coordination of fee and employment applications for the Applicant.

Business Operations: Fees: \$87.50 Total Time: 0.25

This category involves discussion with the LLC member about Syndescope and collection efforts of the receivable.

Real Estate: Fees: \$245.00 Total Time: 0.70

This category including real estate insurance coverage, liability coverage on the property and debtor's valuation prior to expert retention.

Claims Administration and Objection: Fees: \$1,734.50 Total Time: 6.15

This category includes receipt and review of filed claims and sending to the client for review and comment. Noting the claims amounts for plan purposes, reviewing the claims register after the claims deadline expiration, Responding to Debtor questions or concerns about the claims and calculation of judgment rate of interest over the life of the plan.

Plan and Disclosure Statement:

Fees: \$4,901.00

Total Time: 16.50

This category includes discussions with client LLC members about the plan and contents, Back and forth concerning terms, projections, asset valuation and Objection to Confirmation by creditors and questions to address, drafting a Plan of Reorganization, Disclosure Statement, Motion to Approve Disclosure Statement and resolution of any issues with creditors that may be filing an objection and preparation for the Disclosure Statement Hearing.

Part D Expense Summary

Set forth in list form or attach a list that shows the type of expenses for which reimbursement is sought. For each type of expense either

- a. State the amount of the expense that is calculated using the applicant's in-house actual cost or the actual amount billed by a third-party provider, or
- b. Explain how the amount of the expense is calculated.

See attached Exhibit A

WHEREFORE, Applicant requests an award of \$20,009.50 in compensation and of \$208.98 in reimbursement of actual, necessary expenses.

GELLERT SCALI BUSENKELL &
BROWN, LLC

Dated: September 6, 2022

/s/ Michael A. Cataldo
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